THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI ASHOK PRADHAN): (a) to (c) Government of National Capital Territory of Delhi has informed that the request for relaxation till 10 PM will be considered on request from the shops and establishments in which-ever area in Delhi these may be located. Relaxation will be granted, in accordance with the provisions of the Delhi Shops and Establishments Act, 1954 and the Rules made thereunder, on receipt of requests for its, and shall be subject to various conditions like payment of overtime allowance, making arrangements for safety, security and transportation for the employees and other provisions of the Act.

Labour Welfare Boards

1743. SHRI B. J. PANDA:
SHRI KRIPAL PARMAR:

Will the Minister of LABOUR be pleased to state:

(a) whether Labour Welfare Boards have been constituted in the States to take care of the families of the unorganised labour who die in accidents at the work place;

(b) if so, the details thereof and the States or areas where these have been constituted so far;

(c) the source of funding and the amount of compensation paid to the families of the deceased; and

(d) the position with special reference to Orissa?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI ASHOK PRADHAN): (a) to (d) Some of the State Governments like Kerala and Delhi have constituted 'The Kerala Building and Other Construction Workers Welfare Board' and 'The Delhi Building and Other Construction Workers Welfare Board' respectively for the construction workers as per the provisions of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and the Building and Other Construction Workers Welfare Cess Act, 1996. Similarly, the Government of Tamil Nadu have constituted 'The Tamil Nadu Construction Workers Welfare Board' under their own legislation. The Government have been insisting other State Governments to implement the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996. As per the information available 'The Kerala Building and Other Construction Workers Welfare Board' have

a provision that if the death of the worker is due to an accident at the work spot during employment his dependent is eligible to get Rs. one lakh. Similarly, 'The Tamil Nadu construction Workers Welfare Board' has also a provision that in the event of an accident death to a registered construction worker a sum of Rs. one lakh is paid to the nominee of the deceased. The source of funding is cess being levied on the construction projects in the States. The Government of Orissa is yet to constitute such a Welfare Board.

Recommendation of National Labour Commission

1744. SHRI B. J. PANDA:
SHRI KRIPAL PARMAR:

Will the Minister of LABOUR be pleased to state:

(a) what are the recommendations of the Second National Labour Commission;

(b) whether the Commission has recommended sweeping powers to the employers to retrench its workers, if so, the details thereof; and

(c) whether the Commission has also dwelt upon Holidays for Government employees and it is proposed to redraw the list of gazetted holidays, if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI ASHOK PRADHAN): (a) The report of the Second National Commission on Labour has been placed in Parliament library *vide* Rajya Sabha Bulletin No. 40046 dated 27.8.2002.

(b) The Commission has *inter alia*, recommended that prior permission is not necessary in respect of lay-off and retrenchment in an establishment of any employment size. Workers will, however, be entitled to two months notice or notice pay in lieu of notice, in case of retrenchment. In case of establishments employing 300 or more workers where lay-off exceeds a period of one month, such establishments should be required to obtain post facto approval of the appropriate Government. Every employer will have to ensure, before a workers is retrenched, irrespective of the employment size of the establishment, that all dues to the workers are first settled as a precondition to retrenchment.

(c) The Commission has recommended that all the State Governments should have a uniform policy on holidays. Only three national holidays to be gazette, two more days may be added, to be determined by each State according to its own tradition. Apart from these, each person must